

**CITY OF MIDLAND, TEXAS  
BRIEFING SESSION AGENDA  
Tuesday, March 20, 2007, 9:00 a.m.  
City Hall Conference Room  
300 North Loraine  
Midland, Texas**

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These items, as well as any other items on the regular posted agenda for the City Council Meeting on this date, may be discussed:

1. Discuss the capital needs of MLK Community Center.
2. Discuss the Proposed Development of the Interstate 20 Wetlands Site.

AGENDA FOR CITY COUNCIL MEETING  
Tuesday, March 20, 2007 – 10:00 a.m.  
Council Chamber – City Hall

The Midland City Council agenda is posted for public notice at least 72 hours prior to the Tuesday meetings. All requests to be placed on the Council agenda by the public must be submitted to the City Manager, in writing, at least one week before the Council meetings. Such written requests must be in sufficient detail to identify the subject matter as well as the contact person who will represent the matter before the Council. The City Council reserves the right to not consider matters over which the City has no jurisdiction.

❖Item related to City Council goals

1. Invocation – Reverend Larry Long, Fellowship Community Church

**INVOKED BY DAVID NOBLES, FIRST BAPTIST**

2. Pledge of Allegiance

**PLEDGED**

**MISCELLANEOUS**

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:

- a. Presentation of Proclamation for Stephanie Strauss Day.

**PRESENTED**

- b. Special Recognition of Salvador Gonzales for being a finalist in the Governor's "Most Improved Texan" Category.

**PRESENTED**

**CONSENT AGENDA**

4. Consider a motion approving minutes of the February 27, 2007 City Council Meeting.

**APPROVED**

5. Consider a resolution authorizing the City Manager to purchase 31 digital patroller cameras from a single source provider, Integrian, Incorporated, of Morrisville, North Carolina; said purchase was not bid but purchased as a sole source.

**APPROVED**

- ❖6. Consider a resolution authorizing the City Manager to advertise for a request for proposals for architectural design and construction management services for improvements to Centennial Plaza and fountains; and authorizing the City Manager to negotiate a professional services agreement for said services.

**APPROVED**

7. Consider a resolution accepting \$15,000.00 from the Midland Soccer Association; establishing a project for improvements to Beal Park Soccer fields; and appropriating funds.

**APPROVED**

8. Consider a resolution authorizing the acceptance of funds from the Texas Department of State Health Services to reimburse the Health and Senior Service Division's Bioterrorism Preparedness Program; and authorizing the execution of acceptance documents.

**APPROVED**

9. Consider a resolution authorizing the acceptance of funds from the Texas Department of State Health Services to reimburse the Health and Senior Service Division's Immunization Program; and authorizing the execution of acceptance documents.

**APPROVED**

10. Consider a resolution adopting the 2006 Parks, Recreation and Open Space Master Plan prepared by KDC-Turner for the City of Midland, Texas; and authorizing the filing of said master plan with the Texas Parks and Wildlife Department in Austin, Texas.

**APPROVED**

11. Consider a resolution authorizing the naming of the Hogan Park Dog Park Site as "Hogan's Run."

**APPROVED**

12. Consider a resolution adopting the Bylaws of the Youth Advisory Council.

**APPROVED**

13. Consider a resolution rescinding the current annual sports agreement with Midland Softball Association, Incorporated, and authorizing the execution of a new sports agreement with Midland Softball Association, Incorporated to administer programs, special events and services related to softball.

**APPROVED**

14. Consider a resolution rescinding the current annual sports agreement with Midland Soccer Association, Incorporated, and authorizing the execution of a new sports agreement with Midland Soccer Association, Incorporated, to administer programs, special events and services related to soccer.

**APPROVED**

15. Consider a resolution rescinding the current annual sports agreement with Midland United Girls Softball Association, Incorporated, and authorizing the execution of a new annual sports agreement with Midland United Girls Softball Association, Incorporated, to administer programs, special events and services related to softball for girls.

**APPROVED**

16. Consider a resolution rescinding the current annual sports agreement with Midland Junior Baseball Association, Incorporated, and authorizing the execution of a new annual sports agreement with Midland Junior Baseball Association, Incorporated, to administer programs, special events and services related to baseball for men ages nineteen and younger.

**APPROVED**

17. Consider a resolution rescinding the current annual sports agreement with Permian Basin United Soccer Association, Incorporated, and authorizing the execution of a new sports agreement with Permian Basin United Soccer Association, Incorporated, to administer programs, special events and services related to soccer for adults.

**APPROVED**

18. Consider a resolution authorizing the execution of a Change Order Number One with James Hindman, Incorporated, regarding Public Improvement District Number Eight, Project W-244/8725; and allocating funds therefor.

**APPROVED**

19. Consider a resolution authorizing the City Manager to execute a professional services agreement with Parkhill, Smith, & Cooper, Incorporated, for right-of-way acquisition and engineering services related to the expansion of Garfield/Cotton Flat Road; and appropriating funds therefor.

**APPROVED**

20. Consider a motion to defer water, sanitary sewer, and paving improvements for Freeland Addition, Section 4, and to waive the associated public improvement guarantee.

**APPROVED**

21. Consider a resolution appropriating funds for the Centennial Plaza Enhancement 07 Project, Project 8794.

**APPROVED**

- ❖22. Consider a resolution authorizing the transfer of a 0.103-acre tract of land out of W.W. Harris Tracts, Block 1, City and County of Midland, Texas, to the Midland Community Development Corporation, in accordance with Section 253.011 and Section 272.001 of the Texas Local Government Code; authorizing the City Manager and City Attorney to execute all documents necessary to transfer ownership; the transfer of this property is not subject to the notice, bidding, and obtaining fair market value requirements of state law.

**APPROVED**

23. Consider a resolution accepting a grant adjustment award from the 2006 Homeland Security Grant Program; authorizing the execution of acceptance documents; and appropriating grant funds.

**APPROVED**

- ❖24. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Edgewater Booster Pump Station Project.

**APPROVED**

25. Consider a resolution authorizing the execution of a right of way license with Western Gas Resources, Incorporated, for the installation and maintenance of a pipeline located in Section 9, Block 38, T-2-S, T & P RR Company Survey, Midland County, Texas.

**APPROVED**

**SECOND READINGS**

26. Consider an ordinance on second reading amending Title IX, "Public Ways and Property", Chapter 5, "Parks and Playgrounds", Section 18, "Hours of Use of Public Parks", of the City Code of Midland, Texas, so as to modify the provisions concerning hours of use of public parks; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of five hundred dollars (\$500.00); and ordering publication.

**APPROVED**

27. Consider an ordinance on second reading authorizing the establishment of a pro-rata fee pursuant to Texas Local Government Code Section 395.081 for the development of Phase II of the Northwest Sewer Line improvement; establishing the Northwest Sewer Line Improvement Phase II service area to be a 1,700.79-acre portion of Sections 8 and 9, Block 39, T-1-S, T&P RR Co. Survey, and Sections 8 and 9, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas, and more specifically described in Section Two hereof; authorizing the City Manager to collect said fee during the platting process; containing a severability clause; containing a cumulative clause; ordering publication; and ordering recordation.

**APPROVED**

28. Consider an ordinance on second reading on a request by Bill and Kaye Musar for a zone change from PD, Planned District for a Housing Development to PD, Planned District for a Transition District on Lot 2A, Block 2, Crestgate Addition, Section 29, City and County of Midland, Texas. (Generally located on the northeast intersection of West Loop 250 North and Crestway Lane.)

**APPROVED**

29. Consider an ordinance on second reading on a request by JMS Development Corporation for a zone change from FD, Future Development District, to TH, Townhouse District on a 20.79-acre tract of land out of Section 25, Block 40, T-1-S, T&P RR Company Survey, Midland County, Texas. (Generally located at the west end of Los Patios Drive and at the North end of Llano Court.)

**DEFERRED**

30. Consider an ordinance on second reading on a request by Don Kimbrell for a zone change from IP-1, Industrial Park, to PD, Planned District for an Industrial District on Lots 15-22, Block 9, and Lots 7-9, Block 10, Fairgrounds Addition, City and County of Midland, Texas. (Generally located on both side of Wolfcamp Circle, approximately 760 feet north of Business Interstate 20.)

**APPROVED**

31. Consider an ordinance on second reading on a request by Teen Flow Outreach for a zone change from LR-2, Local Retail District, to PD, Planned District for a Recreation Center, on Lots 13-22, Block 157, Southern Addition, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of South Main Street and East California Avenue.)

**APPROVED**

32. Consider an ordinance on second reading vacating a 20-foot by 208-foot portion of the Oriole Drive right-of-way adjacent to Lots 2 & 3, Block 6, Greenhill Terrace, City and County of Midland, Texas. (Generally located near the southwest corner of Tanforan Avenue and Oriole Drive.)

**APPROVED**

**PUBLIC HEARINGS**

33. At 11:00 a.m. hold a public hearing and consider an ordinance on a request by Bill Steward for a zone change from 1F-1, One-Family Dwelling District, to C-3, Commercial District on a 7.68-acre tract of land out of Section 10, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of Cotton Flat Road, approximately ¼ mile south of Interstate Highway 20.)

**APPROVED**

34. At 11:03 a.m. hold a public hearing and consider an ordinance on a request by Insignia Hospitality Group, Inc. for a zone change from LR-2, Local Retail District, to PD, Planned District for a Shopping Center on a 1.75-acre tract of land out of Section 3, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the north side of Crump Street, approximately 320 feet west of South Rankin Highway.)

**APPROVED**

35. At 11:06 a.m. hold a public hearing and consider an ordinance on a request by Integrity Land Development, LP. for a zone change from FD, Future Development District, to PD, Planned District for a Housing Development on a 22.373-acre tract of land out of Section 25, Block 40, T-1-S, T&P RR Company Survey, Midland

County, Texas. (Generally located on the east side of the north extension of Crowley Boulevard, west of Rio Grande Avenue.)

**APPROVED**

36. At 11:09 a.m. hold a public hearing and consider a resolution on a request by Complex Community Federal Credit Union for a Temporary Land Use Permit for modular building on Lot 3A, Block 52, Belmont Addition, Section 12, City and County of Midland, Texas. (Generally located on the north side of West Longview Avenue, approximately 140 feet east of Belmont Street.)

**APPROVED**

37. At 11:12 a.m. hold a public hearing and consider a resolution on a request by HEB Business Center for a Temporary Land Use Permit for an outdoor sales and display on a 9 foot by 150 foot area in connection with the store expansion on Lot 3, Block 15, Hyde Park Addition, Section 4, City and County of Midland, Texas. (Generally located near the southwest corner of West Wadley Avenue and North Midkiff Road.)

**APPROVED**

38. At 11:15 a.m. hold a public hearing and consider a resolution on a request by Heart of America Shows-Butch Cory for a Temporary Land Use Permit for a Carnival on Lot 1, Block 17; Skyline Terrace, Unit 2, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of West Loop 250 North and North Midkiff Road.)

**APPROVED**

**MISCELLANEOUS**

39. Consider an ordinance amending the official municipal budget for Fiscal Year 2006-2007.

**APPROVED**

40. Presentation of the 2006 Midland Police Department Racial Profiling Report.

**PRESENTED**

41. Consider a motion making appointments to various Boards and Commissions.
- a. Appointing directors to the Midland Tax Increment Reinvestment Zone No. 1 Board. **APPOINTMENTS MADE**

42. Recess to the conference room for lunch.



43. Pursuant to Texas Government Code §551.101, the Council will hold an Executive Session which is closed to the public to discuss the following matters as permitted under the following Texas Government Code Sections:

**Consultation with the City Attorney, Section 551.071**

Discuss litigation styled Encore Videos v. City of San Antonio in the United States Court of Appeals for the Fifth Circuit.

Respectfully submitted,

Rick Menchaca  
City Manager